

RICHARD S. SCHURIN
STEVEN STERN
PENINA GREEN
MEGAN ABNER



STERN & SCHURIN LLP
PATENTS TRADEMARKS COPYRIGHTS

595 STEWART AVENUE
SUITE 510
GARDEN CITY, NY 11530
TEL. (516) 248-0300
FAX (516) 283-0277
WWW.STERNSCHURIN.COM

July 7, 2021

Via ECF

Hon. Sarah L. Cave
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan US Courthouse
500 Pearl Street
New York, N.Y. 10007-1312

Re: *Primed Pharmaceuticals, LLC v. Starr Indemnity & Liability Company*
21-cv-1025 (PGG)(SLC)

Dear Judge Cave:

This firm represents Plaintiff Primed Pharmaceuticals LLC (“Primed”) in the above referenced case. We write pursuant to Rule I E. of Your Honor’s Individual Rules to request that the Court extend the briefing deadlines for Primed’s letter motion as set in the Court’s Order of June 23, 2021 (Dkt. No. 27). Specifically, Primed requests a seven (7) day extension of all briefing dates. Primed also respectfully suggests that if the Court grants this request, it should probably also adjust the next Telephone Conference date of July 27, 2021, which was intended to coincide with the completion of briefing. We have conferred with counsel for Defendant and they consent to this request. Primed notes that it does not seek an extension of the date for document production set on paragraph 1 of said Order.

Paragraph number 2 of the Court’s Order provides that Primed’s letter motion shall be filed on Friday July 9th. Starr’s Opposition shall be filed by Friday July 16th, and Primed’s reply if any shall be filed by Friday July 23rd. Finally, a Telephone Conference was then set for Tuesday July 27th at 10:00 am. No previous request for an extension of these dates has been requested or granted. Primed requests the extension because of scheduled conferences in other matters also scheduled for this week and other obligations of counsel. As previously noted, counsel for Defendant consents to this requested extension.

Should the Court grant the requested extension, the new due dates would be as follows:

- A. Primed’s letter-motion seeking to preclude discovery on extrinsic evidence supporting Starr’s “first publication exclusion” defense (see ECF No. 26 at 5) shall be filed by Friday July 16, 2021.
- B. Starr’s opposition shall be filed by Friday July 23, 2021.

C. Primed's reply, if any, shall be filed by Friday July 30, 2021.

As noted herein, the Court may also want to adjust the next Telephone Conference date.

Respectfully submitted,

STERN & SCHURIN LLP

Richard S. Schurin

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Plaintiff's letter-motion (ECF No. 30) requesting: (i) an extension of the letter-motion briefing schedule (as set forth in the Court's Order at ECF No. 27); and (ii) a corresponding adjournment of the July 27, 2021 Telephone Conference, is GRANTED, and the proposed briefing schedule is ADOPTED. The July 27, 2021 Telephone Conference is ADJOURNED to **Monday, August 23, 2021 at 2:00 pm** on the Court's conference line. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time.

The Clerk of Court is respectfully directed to close ECF No. 30.

SO ORDERED 7/8/2021


SARAH L. CAVE
United States Magistrate Judge